

THE ARCA FOUNDATION  
APPLICATION FORM

*Organization:* The Innocence Project

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*Board of Directors:* Cedric L. Alexander, Marvin L. Anderson

*Amount requested:* \$109,700.00

**Summary**

The Innocence Project requests \$109,700.00 to fund a new organizational law library at the New York offices as well as digital resources and research materials database. The digital resources library will be maintained on a server to provide access across the Innocence Network so affiliates will be able to utilize these same resources.

**Organization Mission**

The Innocence Project was co-founded by Barry C. Scheck and Peter J. Neufeld and was originally housed at the Benjamin N. Cardozo School of Law at Yeshiva University in New York, New York. Since becoming an independent 501(c)(3), we have been operating outside the university campus, but are still located in New York, New York and we are still affiliated with our university roots. Since 1992, we have been exonerating the wrongly convicted through DNA testing. Our mission is to reform the justice system and to free the innocent who remain incarcerated. The majority of our funding comes from individual donors at 44% of our budget. Foundations comprise 31% of our funding. We are able to raise 12% from our annual benefit dinner. The Cardozo School of Law provides 3%, and the remainder comes from corporations. 80% of what we receive goes directly to our programs to free the innocent and prevent wrongful convictions.

We not only focus on DNA testing, but we also aim to reform the justice system in an effort to prevent future wrongful convictions. We bring to light the numerous inaccuracies of forensic science, as well as the unreliability of eyewitness identifications, and try to change legislation to promote reliable forensic processes through our various programs. Our involvement with the exonerated does not just end when the sentence is overturned. We maintain connection with our exonerees as they reacclimate into society. After having been incarcerated for so many years, many of the exonerees have a difficult time finding their identity. Through our Social Work Department, we provide individualized support to help people rebuild their lives. Our Strategic Litigation Department is focused on addressing the main causes for wrongful conviction and work to prevent future injustices. With our Policy Department, we also work closely with

Congress, legislatures, and local government to improve the system by passing laws to prevent wrongful convictions as well as making it easier for the innocent to receive justice. We're able to accomplish legislative changes through our science and research team who analyzes data to identify patterns in forensic testing that have led to wrongful convictions. Through this research we are able to provide the proof needed for our reform efforts.

## **Request**

At the Innocence Project, we want to help people who have been wrongfully convicted. Our Litigation Department is working on preventing future injustices by using specific strategies to make judges, attorneys, and policy makers aware of the injustices and lack of evidence. We work with police departments to change processes on racial profiling which often lead to innocent people being convicted. Through DNA testing, we help prove the innocence of inmates who are servicing sentences for crimes they did not commit. We need many resources as there are various legal hoops to jump through to prove inmates' innocence; however, due to lost or destroyed evidence, we've had to close 29% of our cases. We rely heavily on DNA evidence to free our clients.

The issues we face at the Innocence Project are inadequate policies, racial profiling, and the death penalty. The solution to these problems include policy reform, educating judges, attorneys, and the police on racial injustice. The Arca Foundation will be of great assistance to the Innocence Project in achieving our goal of freeing the innocent and creating justice reform. The Arca Foundation stands for these justices and knows what it is like to go up against unjust policies and laws. The Arca Foundation wants to partner with organizations that align with their purpose and we believe the Innocence Project is such an organization.

The goal of the Innocence Project is to free the staggering number of innocent people who remain incarcerated, as well as bringing reform to the system for their unjust imprisonment. The target clientele is African American, Caucasian, Latinx, Asian American, and Native American. These populations are the ones that are being pursued the most. With the funding of the Arca Foundation, the Innocence Project will use it to gain access to more records and facts as well as build our own organizational law library. The inmates, as well as their families, can use the onsite law library to properly defend themselves in court. That is one of the main reasons why most of these inmates are in prison. The inmate themselves, and their attorneys at the time, didn't have the sufficient resources to prove their innocence. It is this reason the Innocent Project is making it our mission to have resources available for any inmate and their family to properly move through court hearings.

There is also the fact that some policies need to be rewritten or new ones established. Most of the cases the Innocence Project takes can be solved by retesting evidence and DNA samples that were missed during the first trial. For example, there is the case of Steven Avery. Mr. Avery was falsely identified by the victim, and there were DNA samples taken; however, it was not enough to justify if it was actually Mr. Avery who committed the crime. Due to the policies at the time, Mr. Avery was unable to prove his innocence. Thankfully, due to our diligent research team, we found untested DNA and used the FBI DNA database to determine who the actual criminal was. The person who committed the crime was Gregory Allen and he happens to look very similar to Mr. Avery, and that is why the witness thought it was him.

## **Work Plan**

The Innocence Project would benefit from having our own organizational law library so we can conduct more in-depth research. Currently we use various university libraries. The universities we work with are Loyola University School of Law, Indiana University School of Law, Arizona State University, California Western School of Law, Northwestern University School of Law, and so forth. The Innocence Network is located in several states to ensure we provide our services to as many people as possible. The people who work in the Innocence Project are attorneys who specialize in criminology and forensic scientists and work closely alongside our science and research team. Currently the Innocence Network has offices in 46 out of 50 states. Grant funds will be utilized to create an onsite library at the New York office as well as an online library that will be maintained on a server that will be available to the entire Network. The digital library will also include journal subscriptions and research documentation as well as other important findings to support changing legislation for criminal justice reform. Access to the online resources will be password protected for only Network affiliates to utilize.

## **Impact of Activities**

The Innocence Project has been successful in exonerating 375 individuals of wrongful convictions with DNA evidence through the critical work of our science and research team, lawyers, and policy reform throughout the United States. Of those exonerated by our organization, 60% are disproportionately African American. Overall, the average sentence served is 14 years before their sentence is overturned. The Innocence Project relies on a substantial amount of data; therefore, we would greatly benefit from having an onsite organizational library. It can provide accurate and reliable scientific evidence in a timelier manner, as well as further improve individualized services to those who have been wrongfully convicted, while helping to reform criminal justice policies with up-to-date case law and assisting these newly exonerated individuals into a smooth transition into society. Additionally, we will be able to access resources that can contribute to our Social Work Department in creating additional support for recently released individuals and equip them with new skills so they may have an easy reentry to society. We will be able to continue to provide them with public assistance programs, housing, job training, and job placement. An organizational library will enable us to have more access to information in real time, in order to seek exoneration faster and monetary compensation for these individuals to make the difficult transition into society, while allowing us to expand reform in states that do not already have compensation policies. Furthermore, access to an inhouse library will increase knowledge of criminal justice and help us fill the gaps that exist within the justice system with policies that will prevent people from wrongful convictions. Applying the knowledge gained from this valuable source, means that it can be shared with the public by educating them on state laws and policies, which will have positive long-term effects on communities, the criminal justice system, and policy change.

Since our inception in 1992, we have worked to improve criminal justice policies and have collaborated with Congress and state legislatures to make these changes possible. The Innocence Project has been able to free innocent people with innovative use of DNA technology which has delivered irrefutable proof that there are faults within our criminal justice system. An organizational law library will help us better establish legal precedent involving inaccurate and unreliable eyewitness identification and unvalidated forensic science. Our long-term goals include reaching the remaining 26 states to implement Eyewitness Identification Reform as well

as Compensation statutes for all 50 states, since only 35 states have existing compensation statutes. Our work in creating change through laws and policy reform, has the potential to prevent other innocent people from being put behind bars, including exonerating those who are innocent and currently on death row. Our client Marvin Reeves spent 21 years in prison because of a jailhouse informant that lied about him and his friend, Ronnie, committing a murder. We have since made essential reform to jailhouse informant policy in 5 states, "This new law will prevent what happened to Ronnie and me from happening to other innocent Illinoisans," Reeves stated. Finally, our mission is to decrease the number of wrongfully convicted individuals currently in the prison system. An organizational law library will help us achieve this by having the needed literature on hand.

### **Other Funding/Future Funding**

The Innocence Project will continue with its mission until we achieve criminal justice reform and keep innocent people out of prison. Initial funding for the creation of an organizational law library and digital resources will be needed for materials and collections that will allow us to do our work quickly and effectively. Additional funding will be requested as needed to meet updated federal and state laws, including renewal of subscriptions to various online databases.

### **Evaluation**

Our efforts to evaluate the outcomes of this project will include multiple measures which will include the following: program participant demographics, surveys, website polls, communication logs, referrals, and narrative notes.

Participant surveys will include a pre/post survey and include a section for narrative notes indicating which services were provided. Upon completion of our work, we will conduct a follow-up telephone survey within one month and determine follow-up touchpoints, not to exceed longer than 2 months. Our website will be equipped with polling surveys to help identify what services are being researched and/or what additional services may be needed. Our website designer will also provide updates of website traffic analytics. Referral sheets from incarcerated individuals, as well as other local government agencies, will help us determine the need or demand for our services. The referrals will also include determining what types of services inmates are seeking when released. Focus groups will be encouraged for those who are interested in participating.

Interns will also keep a record and log the time spent when researching case files. This will help us determine the efficiency of our library resources and the ways to improve our methods of locating materials in an efficient manner. This will also allow us to determine future staffing needs and if some of the tasks can be delegated to volunteers, law students, or other intern assignments.

### **Budget**

Our projected budget is provided below in Table 1. The first initial phase of our program will be for a period of 6 months with the intention of extending for 3 additional years. At the 3-year date we would like to evaluate and assess our program outcomes to pursue further extension of the program to continue the work of supporting the Innocence Project.

Table 1	Project Budget
<b>Direct Personnel Expenses</b>	
Project Director 1 (Part time \$30/hr, 10 hours/wk for 6 months = \$7,200	\$7,200
Library Intern 1	\$6,000
3 Clerical Temps (\$15/hr, 30 hours/wk for 6 months = \$10,800 x 3 = \$32,400	\$32,400
Employee Taxes	\$5,940.00
<b>Direct Project Expenses</b>	
Consultant Fees	\$5,000
Books – U.S. Reports Bound Volumes (200 @ 100.00 = 20,000); Federal Register (\$1,000); Legal Encyclopedias – American Jurisprudence, West’s Federal Reporter (\$5,000); Misc. Other (\$10,000)	\$36,000
Bookshelves - \$6000	\$6,000
Equipment – Laser printers & scanner (\$600); 3 laptops (3 @ \$800 = \$2,400); MacBook Pro (\$1,300); iPads (2 @ \$400 = \$800)	\$5,100
Website – Design and maintenance (\$5,000)	\$5,000
Licenses/Subscriptions – Library Software (\$1,000); LexisNexis (\$900); Criminal Legal News (\$160)	\$2,060
Rental Space	TBD
Office supplies, furniture – General office supplies (\$2,000) library tables/chairs (\$4,000); individual desk workstations/chairs (\$4,000)	\$10,000
<b>TOTAL EXPENSES (Personnel and Direct)</b>	<b>\$120,700</b>

<b>Other Funding Sources</b>	
Foundation A (will cover the cost of rental space)	TBD
Library Intern – University Stipend	\$6,000
In-Kind Contribution: Cardozo School of Law – Legal consultation fees	\$5,000
<b>TOTAL OTHER REVENUE SOURCES</b>	<b>\$11,000</b>
<b>TOTAL DIRECT EXPENSE REQUESTED OF THE ARCA FOUNDATION</b>	<b>\$109,700</b>